

Case: 43CI1:22-cv-00306 Document #: 2 Filed: 07/21/2022 Page 1 of 4

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

VS.

CIVIL ACTION NO. 22-cv-306-LS

DAVID RODRIGUEZ AND  
FIRST TRUCKING, INC.

DEFENDANTS

**COMPLAINT WITH DISCOVERY ATTACHED**  
**JURY TRIAL REQUESTED**

COMES NOW Latoya Bridges, by and through counsel, and for cause of action against the defendant, David Rodriguez and First Trucking, Inc., states and alleges the following:

1.

Latoya Bridges is an adult resident citizen of Brookhaven, Lincoln County, Mississippi.

2.

David Rodriguez is an adult resident citizen of Cutler Bay, Miami-Dade County, Florida, and may be served with process at 9141 Southwest 203<sup>rd</sup> Terrace, Cutler Bay, Florida 33189.

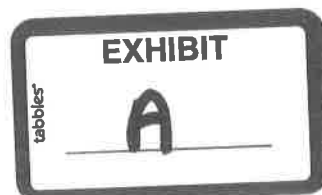
3.

First Trucking, Inc. is a Florida Company organized and existing under the laws of the State of Florida; and may be served by and through service upon its registered agent for service, Maribel Garcia 8324 Northwest 68<sup>th</sup> Street, Miami, Florida 33166.

4.

This Court has jurisdiction over this matter pursuant to the Mississippi Constitution and the laws of the State of Mississippi. Venue is proper in this Honorable Court as the acts complained of occurred in whole or in part in Lincoln County, Mississippi.

5.



On or about April 11, 2022, Latoya Bridges was operating a vehicle in a southerly direction on Highway 51 near its intersection with Lipsey Street in Lincoln County, Mississippi. At such time, Latoya Bridges was lawfully and prudently traveling in a southerly direction on Highway 51.

6.

At the same time and place, a vehicle being operated by David Rodriguez was traveling in a southerly direction on Highway 51 near its intersection with Lipsey Street in Lincoln County, Mississippi in front of the Plaintiff. At such time, the vehicle being operated by David Rodriguez began backing up and collided with the vehicle being operated by Latoya Bridges.

7.

The collision and resulting damages to Latoya Bridges were directly and proximately caused by the negligence of David Rodriguez in the following ways:

- (a) Failing to obey the traffic signs;
- (b) Failing to keep his vehicle under reasonable and proper control;
- (c) Failing to keep a reasonable and proper lookout as he operated his vehicle;
- (d) Failing to yield the right of way;
- (e) Failing to obey traffic signals;
- (f) Failing to abide by the Rules of the Road;
- (g) Operating his vehicle in a careless and negligent manner;
- (h) Failing to give adequate warnings of a collision;
- (i) Causing his vehicle to collide into the Plaintiff; and/or,
- (j) Other acts of omission and commission to be named in a trial of this matter.

8.

At all times relevant hereto, David Rodriguez was operating a vehicle owned and maintained by First Trucking, Inc. and was acting in the course and scope of his employment with First Trucking, Inc.. As such, First Trucking, Inc. is vicariously liable for any and all negligent acts of David Rodriguez under the theory of Respondeat Superior and/or vicarious liability as the employer of David Rodriguez or owner and maintainer of the vehicle David Rodriguez was operating at the time of the collision.

9.

Based on the foregoing, Plaintiff requests an award of damages for the following:

1. past, present, and future pain and suffering and resulting emotional distress and mental anguish;
2. past, present, and future loss of wages or wage earning capacity;
3. past medical expenses;
4. future medical expenses;
5. Pre-judgment interest;
6. Post-judgment interest; and,
7. All costs of court.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Latoya Bridges, demands judgment against David Rodriguez and First Trucking, Inc. in an amount in excess of the jurisdictional minimum of this court and to be determined by a jury to adequately compensate the plaintiff for her injuries; pre-judgement and post-judgement interest; her costs in pursuing this lawsuit; and any other relief to which she may be entitled under Mississippi Law.

Case: 43C11:22-cv-00306 Document #: 2 Filed: 07/21/2022 Page 4 of 4

RESPECTFULLY SUBMITTED, this the 14<sup>th</sup> day of July, 2022.

LATOYA BRIDGES

BY:   
OF COUNSEL

WILLIAM A. GRAVES, ESQ. - BAR # 105679  
MORGAN & MORGAN, PLLC  
4450 OLD CANTON RD., SUITE 200  
JACKSON, MS 39211  
PHONE: (601) 503-1659  
FACSIMILE: (601) 503-1617  
WGRAVES@FORTHEPEOPLE.COM

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**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**

**LATOYA BRIDGES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-cv-306-LS**

**DAVID RODRIGUEZ AND  
FIRST TRUCKING, INC.**

**DEFENDANTS**

**SUMMONS**

**STATE OF MISSISSIPPI  
COUNTY OF LINCOLN**

**TO: DAVID RODRIGUEZ  
9141 Southwest 203<sup>rd</sup> Terrace  
Cutler Bay, Florida 33189**



**NOTICE TO DEFENDANT**

**THE COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint with Discovery Attached to William A. Graves, attorney for the Plaintiff, Morgan and Morgan, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within (30) days from the date of delivery of this Summons and Complaint with Discovery Attached or a judgment by default will be entered against you for the money or other things demanded in the complaint.

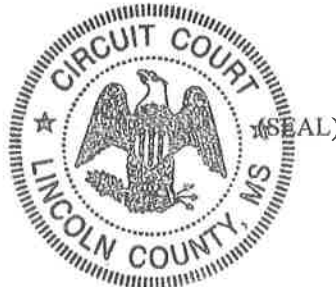
You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court this the 21<sup>st</sup> day of July 2022.

DUSTIN R. BARFIELD, CLERK  
CIRCUIT COURT OF LINCOLN COUNTY

By: Retitia Rice, D.C.

Summons issued at the request of:  
WILLIAM A. GRAVES, (MSB #105679)  
MORGAN AND MORGAN, PLLC  
4450 Old Canton Rd, Suite 200  
Jackson, Mississippi 39211  
Telephone: (601) 949-3388  
Facsimile: (601) 949-3399  
EMAIL: wgraves@forthepeople.com  
Attorney for the Plaintiff



Case: 43CI1:22-cv-00306 Document #: 4 Filed: 07/21/2022 Page 1 of 1

**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**

**LATOYA BRIDGES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306 -LS**

**DAVID RODRIGUEZ AND  
FIRST TRUCKING, INC.**

**DEFENDANTS**

**SUMMONS**

**STATE OF MISSISSIPPI  
COUNTY OF LINCOLN**

**TO: FIRST TRUCKING, INC.  
c/o Maribel Garcia, Registered Agent  
8324 Northwest 68<sup>th</sup> Street  
Miami, Florida 33166**



**NOTICE TO DEFENDANT**

**THE COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint with Discovery Attached to William A. Graves, attorney for the Plaintiff, Morgan and Morgan, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within (30) days from the date of delivery of this Summons and Complaint with Discovery Attached or a judgment by default will be entered against you for the money or other things demanded in the complaint.

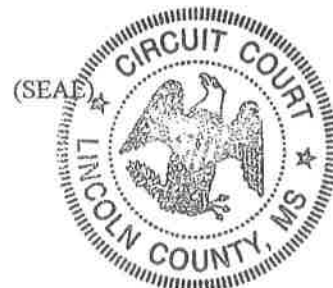
You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court this the 21<sup>st</sup> day of July 2022.

DUSTIN R. BARFIELD, CLERK  
CIRCUIT COURT OF LINCOLN COUNTY

By: Retitia Rice, D.C.

**Summons issued at the request of:  
WILLIAM A. GRAVES, (MSB #105679)  
MORGAN AND MORGAN, PLLC  
4450 Old Canton Rd, Suite 200  
Jackson, Mississippi 39211  
Telephone: (601) 949-3388  
Facsimile: (601) 949-3399  
EMAIL: wgraves@forthepeople.com  
Attorney for the Plaintiff**



Case: 43CI1:22-cv-00306 Document #: 6 Filed: 08/10/2022 Page 1 of 2

**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**

**LATOYA BRIDGES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306-LS**

**DAVID RODRIGUEZ  
AND FIRST TRUCKING, INC.**

**DEFENDANTS**

**NOTICE OF SERVICE OF DISCOVERY**

TO: FIRST TRUCKING, INC.  
c/o Maribel Garcia, Registered Agent  
8324 Northwest 68<sup>th</sup> Street  
Miami, FL 33166

NOTICE IS HEREBY GIVEN that Plaintiff, Latoya Bridges, has served with the Summons and Complaint in the above-entitled action:

1. *Plaintiff's First Set of Interrogatories Propounded to Defendant First Trucking, Inc.*
2. *Plaintiff's First Set of Requests for Production of Documents Propounded to Defendant First Trucking, Inc.*

The undersigned retains the originals of the above papers as custodian thereof pursuant to local rules.

RESPECTFULLY SUBMITTED, this the 10<sup>th</sup> day of August 2022.

**LATOYA BRIDGES**

BY: /s/ William A. Graves  
William A. Graves

OF COUNSEL:  
WILLIAM A. GRAVES (MSB# 105679)  
**MORGAN AND MORGAN, PLLC**  
4450 OLD CANTON ROAD, SUITE 200  
JACKSON, MISSISSIPPI 39211  
TELEPHONE: (601) 949-3388  
FACSIMILE: (601) 949-3399  
wgraves@forthepeople.com

Case: 43CI1:22-cv-00306 Document #: 6 Filed: 08/10/2022 Page 2 of 2

CERTIFICATE OF SERVICE

I, William A. Graves, of counsel for Latoya Bridges do hereby certify that I have had served with the summons and complaint a true and correct copy of the above and foregoing pleading to:

FIRST TRUCKING, INC.  
c/o Maribel Garcia, Registered Agent  
8324 Northwest 68<sup>th</sup> Street  
Miami, FL 33166

THIS, the 10<sup>th</sup> day of August, 2022.

/s/ William A. Graves  
WILLIAM A. GRAVES



**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**

**LATOYA BRIDGES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306-LS**

**DAVID RODRIGUEZ  
AND FIRST TRUCKING, INC.**

**DEFENDANTS**

**NOTICE OF SERVICE OF DISCOVERY**

TO: DAVID RODRIGUEZ  
8141 Southwest 203<sup>rd</sup> Terrace  
Cutler, Bay, FL 33189

NOTICE IS HEREBY GIVEN that Plaintiff, Latoya Bridges, has served with the Summons and Complaint in the above-entitled action:

1. *Plaintiff's First Set of Interrogatories Propounded to Defendant David Rodriguez*
2. *Plaintiff's First Set of Requests for Production of Documents Propounded to David Rodriguez*

The undersigned retains the originals of the above papers as custodian thereof pursuant to local rules.

RESPECTFULLY SUBMITTED, this the 10<sup>th</sup> day of August 2022.

**LATOYA BRIDGES**

BY: /s/ William A. Graves  
William A. Graves

OF COUNSEL:  
WILLIAM A. GRAVES (MSB# 105679)  
**MORGAN AND MORGAN, PLLC**  
4450 OLD CANTON ROAD, SUITE 200  
JACKSON, MISSISSIPPI 39211  
TELEPHONE: (601) 949-3388  
FACSIMILE: (601) 949-3399  
wgraves@forthepeople.com

Case: 43CI1:22-cv-00306 Document #: 7 Filed: 08/10/2022 Page 2 of 2

CERTIFICATE OF SERVICE

I, William A. Graves, of counsel for Latoya Bridges do hereby certify that I have had served with the summons and complaint a true and correct copy of the above and foregoing pleading to:

DAVID RODRIGUEZ  
8141 Southwest 203<sup>rd</sup> Terrace  
Cutler, Bay, FL 33189

THIS, the 10<sup>th</sup> day of August, 2022.

/s/ William A. Graves  
WILLIAM A. GRAVES

Case: 43CI1:22-cv-00306 Document #: 8 Filed: 08/15/2022 Page 1 of 4

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

VS.

CIVIL ACTION NO. 22-CV-306-LS

DAVID RODRIGUEZ AND  
FIRST TRUCKING XTREME, INC.

DEFENDANTS

**FIRST AMENDED COMPLAINT WITH DISCOVERY ATTACHED  
JURY TRIAL REQUESTED**

COMES NOW Latoya Bridges, by and through counsel, and for cause of action against the defendant, David Rodriguez and First Trucking Xtreme, Inc., states and alleges the following:

1.

Latoya Bridges is an adult resident citizen of Brookhaven, Lincoln County, Mississippi.

2.

David Rodriguez is an adult resident citizen of Cutler Bay, Miami-Dade County, Florida, and may be served with process at 9141 Southwest 203<sup>rd</sup> Terrace, Cutler Bay, Florida 33189.

3.

First Trucking Xtreme, Inc. is a Florida Company organized and existing under the laws of the State of Florida; and may be served by and through service upon its registered agent for service, Maribel Garcia 8324 Northwest 68<sup>th</sup> Street, Miami, Florida 33166.

4.

This Court has jurisdiction over this matter pursuant to the Mississippi Constitution and the laws of the State of Mississippi. Venue is proper in this Honorable Court as the acts complained of occurred in whole or in part in Lincoln County, Mississippi.

5.

Case: 43CI1:22-cv-00306 Document #: 8 Filed: 08/15/2022 Page 2 of 4

On or about April 11, 2022, Latoya Bridges was operating a vehicle in a southerly direction on Highway 51 near its intersection with Lipsey Street in Lincoln County, Mississippi. At such time, Latoya Bridges was lawfully and prudently traveling in a southerly direction on Highway 51.

6.

At the same time and place, a vehicle being operated by David Rodriguez was traveling in a southerly direction on Highway 51 near its intersection with Lipsey Street in Lincoln County, Mississippi in front of the Plaintiff. At such time, the vehicle being operated by David Rodriguez began backing up and collided with the vehicle being operated by Latoya Bridges.

7.

The collision and resulting damages to Latoya Bridges were directly and proximately caused by the negligence of David Rodriguez in the following ways:

- (a) Failing to obey the traffic signs;
- (b) Failing to keep his vehicle under reasonable and proper control;
- (c) Failing to keep a reasonable and proper lookout as he operated his vehicle;
- (d) Failing to yield the right of way;
- (e) Failing to obey traffic signals;
- (f) Failing to abide by the Rules of the Road;
- (g) Operating his vehicle in a careless and negligent manner;
- (h) Failing to give adequate warnings of a collision;
- (i) Causing his vehicle to collide into the Plaintiff; and/or,
- (j) Other acts of omission and commission to be named in a trial of this matter.

8.

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At all times relevant hereto, David Rodriguez was operating a vehicle owned and maintained by First Trucking Xtreme, Inc. and was acting in the course and scope of his employment with First Trucking Xtreme, Inc.. As such, First Trucking Xtreme, Inc. is vicariously liable for any and all negligent acts of David Rodriguez under the theory of Respondeat Superior and/or vicarious liability as the employer of David Rodriguez or owner and maintainer of the vehicle David Rodriguez was operating at the time of the collision.

9.

Based on the foregoing, Plaintiff requests an award of damages for the following:

1. past, present, and future pain and suffering and resulting emotional distress and mental anguish;
2. past, present, and future loss of wages or wage earning capacity;
3. past medical expenses;
4. future medical expenses;
5. Pre-judgment interest;
6. Post-judgment interest; and,
7. All costs of court.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Latoya Bridges, demands judgment against David Rodriguez and First Trucking Xtreme, Inc. in an amount in excess of the jurisdictional minimum of this court and to be determined by a jury to adequately compensate the plaintiff for her injuries; pre-judgement and post-judgement interest; her costs in pursuing this lawsuit; and any other relief to which she may be entitled under Mississippi Law.

Case: 43CI1:22-cv-00306 Document #: 8 Filed: 08/15/2022 Page 4 of 4

RESPECTFULLY SUBMITTED, this the 15<sup>th</sup> day of August, 2022.

LATOYA BRIDGES

BY: /s/ William A. Graves  
OF COUNSEL

WILLIAM A. GRAVES, ESQ. - BAR # 105679  
MORGAN & MORGAN, PLLC  
4450 OLD CANTON RD., SUITE 200  
JACKSON, MS 39211  
PHONE: (601) 503-1659  
FACSIMILE: (601) 503-1617  
WGRAVES@FORTHEPEOPLE.COM

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**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**

**LATOYA BRIDGES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306-LS**

**DAVID RODRIGUEZ AND  
FIRST TRUCKING XTREME, INC.**

**DEFENDANTS**

**SUMMONS**

**STATE OF MISSISSIPPI  
COUNTY OF LINCOLN**

**TO: DAVID RODRIGUEZ  
9141 Southwest 203<sup>rd</sup> Terrace  
Cutler Bay, Florida 33189**



**NOTICE TO DEFENDANT**

**THE AMENDED COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint with Discovery Attached to William A. Graves, attorney for the Plaintiff, Morgan and Morgan, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within (30) days from the date of delivery of this Summons and Complaint with Discovery Attached or a judgment by default will be entered against you for the money or other things demanded in the complaint.

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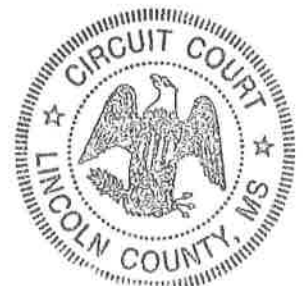
Issued under my hand and the seal of said Court this the 16<sup>th</sup> day of August 2022.

DUSTIN R. BAIRFIELD, CLERK  
CIRCUIT COURT OF LINCOLN COUNTY

By: Retitia Rice, D.C.

**Summons issued at the request of:**  
**WILLIAM A. GRAVES, (MSB #105679)**  
**MORGAN AND MORGAN, PLLC**  
4450 Old Canton Rd, Suite 200  
Jackson, Mississippi 39211  
Telephone: (601) 949-3388  
Facsimile: (601) 949-3399  
EMAIL: wgraves@forthepeople.com  
*Attorney for the Plaintiff*

(SEAL)



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**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**  
**LATOYA BRIDGES** **PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306-LS**

**DAVID RODRIGUEZ AND**  
**FIRST TRUCKING XTREME, INC.**

**DEFENDANTS**

**SUMMONS**

**STATE OF MISSISSIPPI**  
**COUNTY OF LINCOLN**

**TO: FIRST TRUCKING XTREME, INC.**  
c/o Maribel Garcia, Registered Agent  
8324 Northwest 68<sup>th</sup> Street  
Miami, Florida 33166



**NOTICE TO DEFENDANT**

**THE AMENDED COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint with Discovery Attached to William A. Graves, attorney for the Plaintiff, Morgan and Morgan, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within (30) days from the date of delivery of this Summons and Complaint with Discovery Attached or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

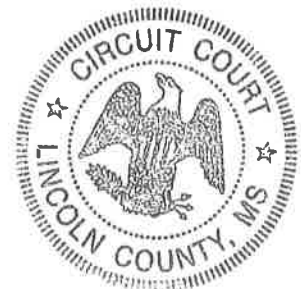
Issued under my hand and the seal of said Court this the 16<sup>th</sup> day of August 2022.

DUSTIN R. BAIRFIELD, CLERK  
CIRCUIT COURT OF LINCOLN COUNTY

By: Retitia Rice, D.C.

**Summons issued at the request of:**  
**WILLIAM A. GRAVES, (MSB #105679)**  
**MORGAN AND MORGAN, PLLC**  
4450 Old Canton Rd, Suite 200  
Jackson, Mississippi 39211  
Telephone: (601) 949-3388  
Facsimile: (601) 949-3399  
EMAIL: wgraves@forthepeople.com  
*Attorney for the Plaintiff*

(SEAL)





Case: 43CI1:22-cv-00306 Document #: 12 Filed: 08/22/2022 Page 1 of 2

**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**

**LATOYA BRIDGES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306-LS**

**DAVID RODRIGUEZ  
AND FIRST TRUCKING XTREME, INC.**

**DEFENDANTS**

**NOTICE OF SERVICE OF DISCOVERY**

TO: FIRST TRUCKING XTREME, INC.  
c/o Maribel Garcia, Registered Agent  
8324 Northwest 68<sup>th</sup> Street  
Miami, FL 33166

NOTICE IS HEREBY GIVEN that Plaintiff, Latoya Bridges, has served with the Summons and Amended Complaint in the above-entitled action:

1. *Plaintiff's First Set of Interrogatories Propounded to Defendant First Trucking Xtreme, Inc.*
2. *Plaintiff's First Set of Requests for Production of Documents Propounded to Defendant First Trucking Xtreme, Inc.*

The undersigned retains the originals of the above papers as custodian thereof pursuant to local rules.

RESPECTFULLY SUBMITTED, this the 22<sup>nd</sup> day of August 2022.

**LATOYA BRIDGES**

BY: /s/ William A. Graves  
William A. Graves

OF COUNSEL:  
WILLIAM A. GRAVES (MSB# 105679)  
MORGAN AND MORGAN, PLLC  
4450 OLD CANTON ROAD, SUITE 200  
JACKSON, MISSISSIPPI 39211  
TELEPHONE: (601) 949-3388  
FACSIMILE: (601) 949-3399  
wgraves@forthepeople.com

Case: 43Cl1:22-cv-00306 Document #: 12 Filed: 08/22/2022 Page 2 of 2

CERTIFICATE OF SERVICE

I, William A. Graves, of counsel for Latoya Bridges do hereby certify that I have had served with the summons and amended complaint a true and correct copy of the above and foregoing pleading to:

FIRST TRUCKING XTREME, INC.  
c/o Maribel Garcia, Registered Agent  
8324 Northwest 68<sup>th</sup> Street  
Miami, FL 33166

THIS, the 22<sup>nd</sup> day of August, 2022.

/s/ William A. Graves

WILLIAM A. GRAVES

Case: 43CI1:22-cv-00306 Document #: 13 Filed: 08/22/2022 Page 1 of 2

**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**

**LATOYA BRIDGES**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306-LS**

**DAVID RODRIGUEZ  
AND FIRST TRUCKING, INC.**

**DEFENDANTS**

**NOTICE OF SERVICE OF DISCOVERY**

TO: DAVID RODRIGUEZ  
8141 Southwest 203<sup>rd</sup> Terrace  
Cutler, Bay, FL 33189

NOTICE IS HEREBY GIVEN that Plaintiff, Latoya Bridges, has served with the Summons and Amended Complaint in the above-entitled action:

1. *Plaintiff's First Set of Interrogatories Propounded to Defendant David Rodriguez*
2. *Plaintiff's First Set of Requests for Production of Documents Propounded to David Rodriguez*

The undersigned retains the originals of the above papers as custodian thereof pursuant to local rules.

RESPECTFULLY SUBMITTED, this the 22<sup>nd</sup> day of August 2022.

**LATOYA BRIDGES**

BY: /s/ William A. Graves  
William A. Graves

OF COUNSEL:  
WILLIAM A. GRAVES (MSB# 105679)  
**MORGAN AND MORGAN, PLLC**  
4450 OLD CANTON ROAD, SUITE 200  
JACKSON, MISSISSIPPI 39211  
TELEPHONE: (601) 949-3388  
FACSIMILE: (601) 949-3399  
wgraves@forthepeople.com

Case: 43Cl1:22-cv-00306 Document #: 13 Filed: 08/22/2022 Page 2 of 2

CERTIFICATE OF SERVICE

I, William A. Graves, of counsel for Latoya Bridges do hereby certify that I have had served with the summons and amended complaint a true and correct copy of the above and foregoing pleading to:

DAVID RODRIGUEZ  
8141 Southwest 203<sup>rd</sup> Terrace  
Cutler, Bay, FL 33189

THIS, the 22<sup>nd</sup> day of August, 2022.

/s/ William A. Graves  
WILLIAM A. GRAVES

Case: 43CI1:22-cv-00306 Document #: 14 Filed: 08/31/2022 Page 1 of 2

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

v.

CIVIL ACTION NO. 22-306

DAVID RODRIGUEZ and  
FIRST TRUCKING XTREME, INC.

DEFENDANTS

**NOTICE OF APPEARANCE**

David C. Dunbar and the law firm DunbarMonroe, PLLC, enter their appearance as counsel of record on behalf of the Defendant, First Trucking Xtreme, Inc., in the above-styled cause and give notice of their intent to defend in the above-styled and referenced cause.

THIS the 31<sup>st</sup> day of August, 2022.

Respectfully submitted,

FIRST TRUCKING XTREME, INC.

By Its Attorneys

DunbarMonroe, PLLC

s/ David C. Dunbar

David C. Dunbar

Christopher G. Dunnells

OF COUNSEL:

David C. Dunbar (MSB#6227)  
Christopher G. Dunnells (MSB #105029)  
DunbarMonroe, PLLC  
270 Trace Colony Park, Suite A  
Ridgeland, Mississippi 39157  
601-898-2073 Office  
601-898-2074 Facsimile  
[dcdunbar@dunbarmonroe.com](mailto:dcdunbar@dunbarmonroe.com)  
[cdunnells@dunbarmonroe.com](mailto:cdunnells@dunbarmonroe.com)

Case: 43C11:22-cv-00306 Document #: 14 Filed: 08/31/2022 Page 2 of 2

**CERTIFICATE OF SERVICE**

I, the undersigned counsel, do hereby certify that I have filed the above and forgoing document with the Court's electronic case filing system (MEC), which sent notification to the following:

William A. Graves, Esq.  
Morgan & Morgan, PLLC  
4450 Old Canton Road, Suite 200  
Jackson, Mississippi 39211

[wgraves@forthepeople.com](mailto:wgraves@forthepeople.com)

THIS the 31<sup>st</sup> day of August, 2022.

*s/ David C. Dunbar*  
David C. Dunbar  
Christopher G. Dunnells

Case: 43CI1:22-cv-00306 Document #: 15 Filed: 08/31/2022 Page 1 of 2

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

v.

CIVIL ACTION NO. 22-306

DAVID RODRIGUEZ and  
FIRST TRUCKING XTREME, INC.

DEFENDANTS

**NOTICE OF APPEARANCE**

Christopher G. Dunnells and the law firm DunbarMonroe, PLLC, enter their appearance as counsel of record on behalf of the Defendant, First Trucking Xtreme, Inc., in the above-styled cause and give notice of their intent to defend in the above-styled and referenced cause.

THIS the 31<sup>st</sup> day of August, 2022.

Respectfully submitted,

FIRST TRUCKING XTREME, INC.

By Its Attorneys

DunbarMonroe, PLLC

s/ Christopher G. Dunnells

Christopher G. Dunnells

David C. Dunbar

OF COUNSEL:

David C. Dunbar (MSB#6227)  
Christopher G. Dunnells (MSB #105029)  
DunbarMonroe, PLLC  
270 Trace Colony Park, Suite A  
Ridgeland, Mississippi 39157  
601-898-2073 Office  
601-898-2074 Facsimile  
[dcdunbar@dunbarmonroe.com](mailto:dcdunbar@dunbarmonroe.com)  
[cdunnells@dunbarmonroe.com](mailto:cdunnells@dunbarmonroe.com)

Case: 43Cl1:22-cv-00306 Document #: 15 Filed: 08/31/2022 Page 2 of 2

**CERTIFICATE OF SERVICE**

I, the undersigned counsel, do hereby certify that I have filed the above and forgoing document with the Court's electronic case filing system (MEC), which sent notification to the following:

William A. Graves, Esq.  
Morgan & Morgan, PLLC  
4450 Old Canton Road, Suite 200  
Jackson, Mississippi 39211

[wgraves@forthepeople.com](mailto:wgraves@forthepeople.com)

THIS the 31<sup>st</sup> day of August, 2022.

*s/ Christopher G. Dunnells*

Christopher G. Dunnells  
David C. Dunbar



Case: 43CI1:22-cv-00306 Document #: 16 Filed: 09/01/2022 Page 1 of 2

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

v.

CIVIL ACTION NO. 22-306

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DEFENDANTS

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THIS the 1<sup>st</sup> day of September, 2022.

Respectfully submitted,

DAVID RODRIGUEZ

By His Attorneys

DunbarMonroe, PLLC

s/ David C. Dunbar

David C. Dunbar

Christopher G. Dunnells

OF COUNSEL:

David C. Dunbar (MSB#6227)  
Christopher G. Dunnells (MSB #105029)  
DunbarMonroe, PLLC  
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Case: 43CI1:22-cv-00306 Document #: 16 Filed: 09/01/2022 Page 2 of 2

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William A. Graves, Esq.  
Morgan & Morgan, PLLC  
4450 Old Canton Road, Suite 200  
Jackson, Mississippi 39211

[wgraves@forthepeople.com](mailto:wgraves@forthepeople.com)

THIS the 1<sup>st</sup> day of September, 2022.

*s/ David C. Dunbar*  
David C. Dunbar  
Christopher G. Dunnells

Case: 43CI1:22-cv-00306 Document #: 17 Filed: 09/01/2022 Page 1 of 2

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

v.

CIVIL ACTION NO. 22-306

DAVID RODRIGUEZ and  
FIRST TRUCKING XTREME, INC.

DEFENDANTS

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THIS the 1<sup>st</sup> day of September, 2022.

Respectfully submitted,

DAVID RODRIGUEZ

By His Attorneys

DunbarMonroe, PLLC

s/ Christopher G. Dunnells

Christopher G. Dunnells  
David C. Dunbar

OF COUNSEL:

David C. Dunbar (MSB#6227)  
Christopher G. Dunnells (MSB #105029)  
DunbarMonroe, PLLC  
270 Trace Colony Park, Suite A  
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601-898-2073 Office  
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[dcdunbar@dunbarmonroe.com](mailto:dcdunbar@dunbarmonroe.com)  
[cdunnells@dunbarmonroe.com](mailto:cdunnells@dunbarmonroe.com)

Case: 43CI1:22-cv-00306 Document #: 17 Filed: 09/01/2022 Page 2 of 2

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William A. Graves, Esq.  
Morgan & Morgan, PLLC  
4450 Old Canton Road, Suite 200  
Jackson, Mississippi 39211

[wgraves@forthepeople.com](mailto:wgraves@forthepeople.com)

THIS the 1<sup>st</sup> day of September, 2022.

*s/ Christopher G. Dunnells*

Christopher G. Dunnells  
David C. Dunbar

Case: 43CI1:22-cv-00306 Document #: 18 Filed: 09/01/2022 Page 1 of 2

**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI**  
**LATOYA BRIDGES** **PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 22-CV-306-LS**

**DAVID RODRIGUEZ AND**  
**FIRST TRUCKING XTREME, INC.** **DEFENDANTS**

**SUMMONS**

**STATE OF MISSISSIPPI**  
**COUNTY OF LINCOLN**

**TO: FIRST TRUCKING XTREME, INC.**  
**c/o Maribel Garcia, Registered Agent**  
**8324 Northwest 68<sup>th</sup> Street**  
**Miami, Florida 33166**

**NOTICE TO DEFENDANT**

**THE AMENDED COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the Complaint with Discovery Attached to William A. Graves, attorney for the Plaintiff, Morgan and Morgan, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within (30) days from the date of delivery of this Summons and Complaint with Discovery Attached or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court this the 16<sup>th</sup> day of August 2022.

DUSTIN R. BARFIELD, CLERK  
CIRCUIT COURT OF LINCOLN COUNTY

By: Retitia Rice, D.C.

**Summons issued at the request of:**  
**WILLIAM A. GRAVES, (MSB #105679)**  
**MORGAN AND MORGAN, PLLC**  
4450 Old Canton Rd, Suite 200  
Jackson, Mississippi 39211  
Telephone: (601) 949-3388  
Facsimile: (601) 949-3399  
EMAIL: wgraves@forthepeople.com  
*Attorney for the Plaintiff*

(SEAL)



Case: 43CI1:22-cv-00306 Document #: 18 Filed: 09/01/2022 Page 2 of 2

## PROOF OF SERVICE

Case: 22-CV-306-LS	Court: CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI	County: LINCOLN	Job: 7490486 (12678125)
Plaintiff / Petitioner: Latoya Bridges		Defendant / Respondent: David Rodriguez and First Trucking Xtreme, Inc.	
Received by: PROPER LEGAL SERVICES		For: MORGAN & MORGAN	
To be served upon: FIRST TRUCKING XTREME, INC. c/o Maribel Garcia, Registered Agent			

FIRST TRUCKING XTREME, INC. c/o Maribel Garcia, Registered Agent Name of Person or Entity Served  
I, JUAN AZCUY, served the SUMMONS, COMPLAINT AND DISCOVERY upon the person or entity named above in the manner set forth below:

PERSONAL SERVICE I personally delivered copies to Adneri Figueroa as employee in charge at FIRST TRUCKING XTREME, INC. , Authorized, on Aug 23, 2022 at 11:08 am , where I found said person(s) in the County of MIAMI-DADE FL.

Address where served: 8324 NW 68TH ST, MIAMI, FL 33166

At the time of service I was at least 18 years of age and not a party to this action.

Personally appeared before me the undersigned authority in and for the state of County aforesaid, the within named JUAN AZCUY who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service" are true and correct as therein stated.

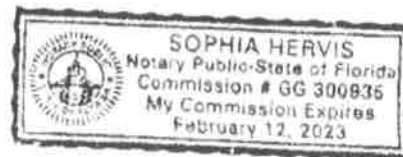
Adopted effective March 1, 1985; amended effective May 2, 1985, amended March 17th 1995.

Juan Azcuy 08-23-2022  
JUAN AZCUY Date  
10019

Quantum Process, LLC  
418 Pittman Rd.  
Ellisville, MS 39437  
(601)800-2004

ID: 7490486  
Client Reference: 12678125

State of Florida  
County of Miami-Dade  
Subscribed and sworn to before me, a notary public  
[Signature]  
Notary Public  
2/12/23  
Commission Expires



Case: 43Cl1:22-cv-00306 Document #: 19 Filed: 09/01/2022 Page 1 of 2

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

VS.

CIVIL ACTION NO.: 22-cv-306-LS

DAVID RODRIGUEZ AND  
FIRST TRUCKING XTREME, INC.

DEFENDANTS

SUMMONS

STATE OF MISSISSIPPI  
COUNTY OF LINCOLN

TO: DAVID RODRIGUEZ  
9141 Southwest 203<sup>rd</sup> Terrace  
Cutler Bay, Florida 33189

NOTICE TO DEFENDANT

THE AMENDED COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint with Discovery Attached to William A. Graves, attorney for the Plaintiff, Morgan and Morgan, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within (30) days from the date of delivery of this Summons and Complaint with Discovery Attached or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court this the 16th day of August 2022.

DUSTIN R. BARFIELD, CLERK  
CIRCUIT COURT OF LINCOLN COUNTY

By: Letitia Rice, D.C.

Summons issued at the request of:  
WILLIAM A. GRAVES, (MSB #105679)  
MORGAN AND MORGAN, PLLC  
4450 Old Canton Rd, Suite 200  
Jackson, Mississippi 39211  
Telephone: (601) 949-3388  
Facsimile: (601) 949-3399  
EMAIL: wgraves@forthepeople.com  
*Attorney for the Plaintiff*

(SEAL)



PROOF OF SERVICE

Case: 43CI1:22-cv-00306 Document #: 19 Filed: 09/01/2022 Page 2 of 2

Case: 22-CV-306-LS	Court: CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI	County: LINCOLN	Job: 7543096 (12678125)
Plaintiff / Petitioner: Latoya Bridges		Defendant / Respondent: David Rodriguez and First Trucking Xtreme, Inc.	
Received by: PROPER LEGAL SERVICES		For: MORGAN & MORGAN	
To be served upon: DAVID RODRIGUEZ			

I, DAVID RODRIGUEZ Name of Person or Entity Served  
I, DEBORAH CORNELL, served the Summons, Amended Complaint, NOS, and Discovery upon the person or entity named above in the manner set forth below:

**RESIDENCE SERVICE.** After exercising reasonable diligence I was unable to deliver copies to said person within **MIAMI-DADE** County, FL. I served the Summons, Amended Complaint, NOS, and Discovery on Aug 25, 2022 at 7:45 pm, at the usual place of abode of said person by leaving a true copy of the Summons, Amended Complaint, NOS, and Discovery with Zulema Rodriguez who is the Daughter, a member of the family of the person served above the age of sixteen years and willing to receive the Summons, Amended Complaint, NOS, and Discovery, and thereafter on **August 25, 2022**, copies of the Summons, Amended Complaint, NOS, and Discovery were mailed (by first class mail, postage prepaid) to the person served at his or her usual place of abode where the copies were left.

Address where served: 9141 SW 203RD TER, CUTLER BAY, FL 33189

At the time of service I was at least 18 years of age and not a party to this action.

~~Personally appeared before me the undersigned authority in and for the state of County aforesaid, the within named DEBORAH CORNELL~~  
who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service" are true and correct as therein stated.

Adopted effective March 1, 1985; amended effective May 2, 1985, amended March 17th 1995.

 8/31/22

DEBORAH CORNELL  
1834

Date

Quantum Process, LLC  
418 Pittman Rd.  
Ellisville, MS 39437  
(601)800-2004

ID: 7543096

Client Reference: 12678125

State of Florida  
County of MIAMI-DADE  
Subscribed and sworn to before me, a notary public

Notary Public

Commission Expires





Case: 43CI1:22-cv-00306 Document #: 20 Filed: 09/01/2022 Page 1 of 6

CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

v.

CIVIL ACTION NO. 22-306

DAVID RODRIGUEZ and  
FIRST TRUCKING XTREME, INC.

DEFENDANTS

**ANSWER AND AFFIRMATIVE DEFENSES OF  
FIRST TRUCKING XTREME, INC. TO PLAINTIFF'S  
FIRST AMENDED COMPLAINT**

Defendant, First Trucking Xtreme, Inc. ("FTX" or "Defendant"), by and through counsel, files this Answer and Affirmative Defenses to the First Amended Complaint of Latoya Bridges ("Plaintiff"), as follows:

**FIRST AFFIRMATIVE DEFENSE**

To the extent the Plaintiff has received or will in the future receive any payment or compensation from any other party, person, or entity as compensation for their alleged damages, if any, Defendant affirmatively pleads the doctrine of accord and satisfaction and is entitled to a set-off or credit for any such compensation received by the Plaintiff in the event Defendant is found to be liable in this matter.

**SECOND AFFIRMATIVE DEFENSE**

If Plaintiff's alleged damages, if any, were caused by the fault and neglect of others, for whom Defendant is not responsible or liable and over whom Defendant exercised no control, then he is barred or reduced from his recovery.

**THIRD AFFIRMATIVE DEFENSE**

Any damages claimed by the Plaintiff which were and/or may have been proximately caused as a result of superseding and/or intervening causes are damages for which Defendant cannot be held liable and for which recovery cannot be had against Defendant.

**FOURTH AFFIRMATIVE DEFENSE**

If any of the injuries or conditions complained of in this matter by Plaintiff existed prior to the incident, then Defendant cannot be responsible for those conditions.

**FIFTH AFFIRMATIVE DEFENSE**

If it is found that Defendant was negligent in some degree, and if it is also found that the Plaintiff was also negligent and contributed to the occurrence of the Plaintiff's alleged damages, if any, the damages assessed against Defendant should be apportioned to the degree that the negligence of the Plaintiff contributed to the Plaintiff's damages, if any, pursuant to Miss. Code Ann. § 11-7-15.

**SIXTH AFFIRMATIVE DEFENSE**

Although Defendant denies that the Plaintiff is entitled to any judgment against it, to the extent liability must be apportioned, Defendant asserts its defenses under § 85-5-7 of the Mississippi Code of 1972, as amended, regarding allocation of fault.

**SEVENTH AFFIRMATIVE DEFENSE**

Defendant asserts all available affirmative defenses provided under Rule 12 of the Mississippi and Federal Rules of Civil Procedure, including but not limited to insufficient process, insufficient service of process, failure to state a claim upon which relief can be granted, and failure to join a party under Rule 19.

**EIGHTH AFFIRMATIVE DEFENSE**

Defendant asserts all available affirmative defenses provided under Rule 8 of the Mississippi and Federal Rules of Civil Procedure. Specifically, Defendant pleads settlement and release, accord and satisfaction, estoppel, laches, waiver, and any other affirmative defense that may become apparent as discovery progresses.

**NINTH AFFIRMATIVE DEFENSE**

If Plaintiff failed to mitigate her damages, if any, then those damages are not recoverable from the Defendants.

**TENTH AFFIRMATIVE DEFENSE**

Although Defendant denies that the Plaintiff is entitled to any judgment against it, Defendant asserts the limitations under § 11-1-60 of the Mississippi Code of 1972, as amended, regarding noneconomic damages.

**ELEVENTH AFFIRMATIVE DEFENSE**

Defendant hereby gives notice that it intends to rely upon such other and further defenses that may be available or become apparent during discovery in this civil action and reserves the right to amend to assert any such defenses.

**TWELFTH AFFIRMATIVE DEFENSE**

Plaintiff only has standing to pursue damages related to causes of action owned by the Plaintiff. To the extent all or a portion of her cause of action has been assigned to a third-party, the Plaintiff cannot individually recover for that cause.

**THIRTEENTH AFFIRMATIVE DEFENSE**

To the extent all or a portion of her cause of action has been assigned to a third-party, the Plaintiff's First Amended Complaint has failed to join a necessary and indispensable party under Rule 19 of the Federal Rules of Civil Procedure.

**FOURTEENTH AFFIRMATIVE DEFENSE**

All allegations contained in Plaintiff's First Amended Complaint that are not specifically admitted are hereby denied.

**ANSWER**

Defendant answers the Plaintiff's First Amended Complaint paragraph by paragraph as follows:

1. Defendant lacks sufficient information to confirm or deny the allegations contained within Paragraph 1 of the Plaintiff's First Amended Complaint and therefore denies the same.

2. Upon information and belief, admitted.

3. Admitted FTX is a corporate citizen of the state of Florida that may be served with process at the address contained in the Plaintiff's First Amended Complaint.

4. Admitted jurisdiction and venue are proper with this Court. However, jurisdiction and venue may also be proper in the Western Division of the Southern District of Mississippi.

5. Denied as stated.

6. Denied.

7. Denied, including all subparts.

8. Denied as stated. Admitted that David Rodriguez ("Rodriguez") was operating within the course and scope of his employment with the Defendant at all relevant times in the Plaintiff's First Amended Complaint such that the Defendant would be liable for the negligent acts, if any, committed by Rodriguez during the course and scope of that employment. The remaining allegations are denied. Any negligence of the Defendant and/or Rodriguez is specifically denied.

9. Denied, including all subparts.

As to the first unnumbered paragraph beginning with "WHEREFORE", Defendant denies the allegations, including all subparts, and specifically requests that it be dismissed from this

Case: 43CI1:22-cv-00306 Document #: 20 Filed: 09/01/2022 Page 5 of 6

matter. Defendant affirmatively states that it is not liable for any damages. Defendant additionally prays for such other relief as the Court deems proper.

THIS the 1st day of September 2022.

Respectfully submitted,

FIRST TRUCKING XTREME, INC.

By Its Attorneys

DunbarMonroe, PLLC

/s/ David C. Dunbar

David C. Dunbar

Christopher G. Dunnells

OF COUNSEL:

David C. Dunbar (MSB#6227)  
Christopher G. Dunnells (MSB #105029)  
*DunbarMonroe, PLLC*  
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Case: 43CI1:22-cv-00306 Document #: 20 Filed: 09/01/2022 Page 6 of 6

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*Attorneys for Plaintiff*

*wgraves@forthepeople.com*

THIS the 1st day of September 2022.

/s/ David C. Dunbar

David C. Dunbar

Christopher G. Dunnells

CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

LATOYA BRIDGES

PLAINTIFF

v.

CIVIL ACTION NO. 22-306

DAVID RODRIGUEZ and  
FIRST TRUCKING XTREME, INC.

DEFENDANTS

**ANSWER AND AFFIRMATIVE DEFENSES OF  
DAVID RODRIGUEZ TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

Defendant, David Rodriguez ("Rodriguez," or "Defendant"), by and through counsel, files this Answer and Affirmative Defenses to the First Amended Complaint of Latoya Bridges ("Plaintiff"), as follows:

**FIRST AFFIRMATIVE DEFENSE**

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**SECOND AFFIRMATIVE DEFENSE**

If Plaintiff's alleged damages, if any, were caused by the fault and neglect of others, for whom Defendant is not responsible or liable and over whom Defendant exercised no control, then he is barred or reduced from his recovery.

**THIRD AFFIRMATIVE DEFENSE**

Any damages claimed by the Plaintiff which were and/or may have been proximately caused as a result of superseding and/or intervening causes are damages for which Defendant cannot be held liable and for which recovery cannot be had against Defendant.

#### **FOURTH AFFIRMATIVE DEFENSE**

If any of the injuries or conditions complained of in this matter by Plaintiff existed prior to the incident, then Defendant cannot be responsible for those conditions.

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If it is found that Defendant was negligent in some degree, and if it is also found that the Plaintiff was also negligent and contributed to the occurrence of the Plaintiff's alleged damages, if any, the damages assessed against Defendant should be apportioned to the degree that the negligence of the Plaintiff contributed to the Plaintiff's damages, if any, pursuant to Miss. Code Ann. § 11-7-15.

#### **SIXTH AFFIRMATIVE DEFENSE**

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#### **SEVENTH AFFIRMATIVE DEFENSE**

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**FOURTEENTH AFFIRMATIVE DEFENSE**

All allegations contained in Plaintiff's First Amended Complaint that are not specifically admitted are hereby denied.

ANSWER

Defendant answers the Plaintiff's First Amended Complaint paragraph by paragraph as follows:

1. Defendant lacks sufficient information to confirm or deny the allegations contained within Paragraph 1 of the Plaintiff's First Amended Complaint and therefore denies the same.
2. Admitted.
3. Upon information and belief, admitted FTX is a corporate citizen of the state of Florida that may be served with process at the address contained in the Plaintiff's First Amended Complaint.
4. Admitted jurisdiction and venue are proper with this Court. However, jurisdiction and venue may also be proper in the Western Division of the Southern District of Mississippi.
5. Denied as stated.
6. Denied.
7. Denied, including all subparts.
8. Denied as stated. Admitted that Defendant was operating within the course and scope of his employment with First Trucking Xtreme, Inc. ("FTX") at all relevant times in the Plaintiff's First Amended Complaint such that FTX would be liable for the negligent acts, if any, committed by Defendant during the course and scope of that employment. The remaining allegations are denied. Any negligence of the Defendant and/or FTX is specifically denied.
9. Denied, including all subparts.

As to the first unnumbered paragraph beginning with "WHEREFORE", Defendant denies the allegations, including all subparts, and specifically requests that he be dismissed from this

Case: 43Cl1:22-cv-00306 Document #: 21 Filed: 09/01/2022 Page 5 of 6

matter. Defendant affirmatively states that he is not liable for any damages. Defendant additionally prays for such other relief as the Court deems proper.

THIS the 1st day of September 2022.

Respectfully submitted,

DAVID RODRIGUEZ

By His Attorneys

DunbarMonroe, PLLC

/s/ David C. Dunbar

David C. Dunbar

Christopher G. Dunnells

OF COUNSEL:

David C. Dunbar (MSB#6227)  
Christopher G. Dunnells (MSB #105029)  
*DunbarMonroe, PLLC*  
270 Trace Colony Park, Suite A  
Ridgeland, Mississippi 39157  
601-898-2073 Office  
601-898-2074 Facsimile  
dcdunbar@dunbarmonroe.com  
cdunnells@dunbarmonroe.com

**CERTIFICATE OF SERVICE**

I, the undersigned counsel, do hereby certify that I have filed the above and forgoing document with the Court's electronic case filing system (MEC), which sent notification to the following:

William A. Graves, Esq.  
Morgan & Morgan, PLLC  
4450 Old Canton Road, Suite 200  
Jackson, Mississippi 39211  
*Attorneys for Plaintiff*

*wgraves@forthepeople.com*

THIS the 1st day of September 2022.

/s/ David C. Dunbar  
David C. Dunbar  
Christopher G. Dunnells